

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**SELECT PORTFOLIO SERVICING,
INC.,**

Plaintiff,

v.

**TERESA R. WINCKLER, ABIGAIL
WINCKLER**

Defendants.

Civil Action No. 5:22-cv-00561

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff Select Portfolio Servicing, Inc. (“SPS” or “Plaintiff”) filed this *Notice of Voluntary Dismissal Without Prejudice* as to Defendants Teresa R. Winckler and Abigail Winckler (“Notice”) pursuant to Rule 41 of the Federal Rules of Civil Procedure, and shows the Court as follows:

1. On May 31, 2022, Plaintiff filed its *Original Complaint* (“Complaint”) against Defendants Teresa R. Winckler and Abigail Winckler (“Defendants”) to obtain an order authorizing foreclosure of Plaintiff’s security interest on the real property located at 25122 Flaming Arrow, San Antonio, Texas 78258. (ECF No. 1.)

2. Plaintiff has completed service on Defendants by personal service. (ECF No. 6 and ECF No. 8, 9.) The served defendants have not answered or otherwise appeared in this action.

3. Plaintiff no longer wishes to pursue this claim for foreclosure against Defendants. Accordingly, it files this Notice, pursuant to Rule 41 (a)(1)(A)(i) of the Federal Rules of Civil Procedure. Plaintiff files this Notice before Defendants filed an answer or motion for summary

judgment. As such, Plaintiff voluntarily dismisses the claims it has asserted herein against Defendants Teresa R. Winckler and Abigail Winckler without prejudice to the re-filing of the same.

4. This dismissal will finally dispose of all parties and all claims. Defendants will not be prejudiced by this voluntary dismissal.

PRAAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests the Plaintiff's claims against Defendants Teresa R. Winckler and Abigail Winckler be dismissed without prejudice, that no prejudice attach to such dismissal, and that Plaintiff be awarded all other relief to which Plaintiff may be entitled.

Respectfully submitted,

By: /s/ Mark D. Cronenwett
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on July 13, 2022 as stated below on the following:

Via U.S. Mail

Teresa R. Winckler
25122 Flaming Arrow,
San Antonio, Texas 78258

Via U.S. Mail

Abigail Winckler
25122 Flaming Arrow,
San Antonio, Texas, 78258

/s/ Mark D. Cronenwett
MARK D. CRONENWETT